



WEB COPY



W.P.No.19943 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19943 of 2023
and W.M.P.Nos.19296 of 2023

Srivatsa Nursery and Primary School,
No.57, Chellppa Street,
Otteri,
Chennai-600 012
Rep. by its Correspondent,
G.Srinivasan

... Petitioner

Vs.

1.The Director of Matriculation Schools,
DPI Campus, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
Presidency Girls Hr.Sec. School Campus,
Egmore,
Chennai-600 008.

3.The District Educational Officer (Private Schools),
Saidapet,
Chennai-600 015.

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 3rd respondent in O.Mu.No.25/A1/2022, dated 01.12.2022, and to quash the same in so far as the condition No.1 is concerned and consequently directing the respondents to grant upgradation of petitioner school with higher standards VI to VIII as per the conditions imposed in G.O.Ms.No.175 School Education Department, dated 20.07.2017, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
Senior Counsel

For Respondents : Mr.M.Bindran
Additional Government Pleader

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein challenges a proceeding of 3rd respondent dated 01.12.2022, under which he has returned the application of the petitioner who wants to upgrade his School as a Matriculation School.



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3.Mr.M.Bindran, the learned Additional Government Pleader takes notice for the respondents. He would submit that as per Tamil Nadu Private School Regulation Rules, 2023 in a metropolitan development area, a school shall have minimum of five grounds for it to be a Matriculation School.

4.Heard the learned counsel on both sides.

5.This Court finds that the application has been merely returned, and the authority has not taken any decision on the merit of the matter due to certain defects the authority has pointed out. The petitioner is now required to familiarize itself about the relevant rules applicable and make a fresh representation along with such necessary material which the law requires, if it is so desirous. If any such representation is made, the 3rd respondent is required to take a decision on the same and forward the same to the 1strespondent without any undue delay, if the papers are in order. Whereupon, the 1strespondent shall hold an enquiry and pass appropriate orders in accordance with law, after giving an opportunity of hearing to the parties concerned.



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N.SESHASAYEE, J.

Anu

6.This writ petition is disposed of with the above directions. No Costs.

Consequently, the connected miscellaneous petition is closed.

06.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no

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